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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ARIZONA
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10 State of Arizona, *ex rel.* Kristin K. }
11 Mayes, Attorney General; *et al.*, }
12 v. } Plaintiffs,
13 Michael D. Lansky, L.L.C., dba Avid }
14 Telecom; *et al.*, }
15 Defendants. }
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17 } No. CIV 23-233-TUC-CKJ
18 }
19 } **ORDER**

20 Pending before the Court is the Motion for Leave (Doc. 136) filed by Defendants
21 Michael D. Lansly, *et al* ("Avid"). Avid seeks leave to file a reply two days past the
22 deadline. The Motion indicates Plaintiffs do not take a position on the issue.

23 Plaintiffs' response was filed on August 14, 2025, and Avid asserts it incorrectly
24 calculated a ten (10) day reply deadline of August 28, 2025. However, a ten (10) day reply
25 deadline would have been August 25, 2025. *See Fed.R.Civ.P. 6(a)(1)* ("When the period
26 is stated in days . . . count every day, including intermediate Saturdays, Sundays, and legal
27 holidays; and include the last day of the period, but if the last day is a Saturday, Sunday, or
28 legal holiday, the period continues to run until the end of the next day that is not a Saturday,
Sunday, or legal holiday."). With a seven (7) day reply deadline, the reply was due on
August 21, 2025.

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1 Nonetheless, the Court will grant this request, *see e.g.*, *Pincay v. Andrews*, 389 F.3d
2 853, 858 (9th Cir. 2004) (discussing excusable neglect), and accepts the Reply (Doc. 137).

3 Accordingly, IT IS ORDERED the Motion for Leave (Doc. 136) is GRANTED and
4 the Court accepts the Reply (Doc. 137).

5 DATED this 28th day of August, 2025.

Conrad K. Ferguson

Cindy K. Jorgenson
United States District Judge